

# ENFORCEMENT REPORT TO THE COMMISSION FOR SEPTEMBER 1996

November 20, 1996

## DOCKET NO. 96-1700-RPT

PROGRAMS	FORMAL ACTIONS INITIATED BY EDR/PETITION, DRAFT ORDER FOR EXPEDITED CASES, OR NOTICE LETTER OF FORMAL ADMIN. PENALTY ACTION		AGREED ORDERS ISSUED BY THE COMMISSION DETERMINED BY EFFECTIVE DATE OF THE ORDER		FISCAL YEAR 1997 YEAR-TO-DATE TOTAL ADMINISTRATIVE PENALTIES ASSESSED, DEFERRED, TOTAL PENALTY DUE GENERAL REVENUE OR DEDICATED FUNDS, AND DOLLAR AMOUNT WHICH WILL BE SPENT ON SUPPLEMENTAL ENVIRONMENTAL PROJECTS (SEPs) IN ORDERS ISSUED BY THE TNRCC			
	Month	FY	Month	FY	ASSESSED	DEFERRED	TOTAL PENALTY DUE GENERAL REVENUE OR DEDICATED FUNDS <sup>1</sup>	SEPs
AGRICULTURE	2	2	0	0	\$0.00	\$0.00	\$0.00	\$0.00
AIR	15	15	0	0	\$0.00	\$0.00	\$0.00	\$0.00
INDUSTRIAL AND HAZARDOUS WASTE	0	0	1	1	\$60,435.00	\$0.00	\$60,435.00	\$0.00
MULTI-MEDIA	2	2	0	0	\$0.00	\$0.00	\$0.00	\$0.00
MUNICIPAL SOLID WASTE	2	2	0	0	\$0.00	\$0.00	\$0.00	\$0.00
OCCUPATIONAL CERTIFICATION	0	0	0	0	\$0.00	\$0.00	\$0.00	\$0.00
PETROLEUM STORAGE TANKS	22	22	0	0	\$0.00	\$0.00	\$0.00	\$0.00
WATER QUALITY	11	11	0	0	\$0.00	\$0.00	\$0.00	\$0.00
DRINKING WATER/CCN	6	6	1	1	\$2,160.00	\$0.00	\$2,160.00	\$0.00
TOTALS	60	60	2	2	\$62,595.00	\$0.00	\$62,595.00	\$0.00

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<sup>1</sup> All penalties collected are paid into the State's General Revenue Fund with the exception of water well driller orders which are paid into the Water Well Driller's Fund.

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PROGRAMS	NOTICES OF VIOLATION (NOVS) ISSUED BY CENTRAL OFFICE		NOVS ISSUED BY FIELD OPERATIONS		CASES RESOLVED INFORMALLY - COMPLIANCE ACHIEVED THRU CENTRAL OFFICE ACTION WITHOUT ISSUANCE OF AN AGENCY ORDER		CASES BEING DEVELOPED IN ENFORCEMENT PROGRAMS <sup>2</sup>	CASES BEING TRACKED FOR COMPLIANCE <sup>3</sup>
	Month	FY	Month	FY	Month	FY	Total	Total
AGRICULTURE	2	2	9	9	0	0	7	21
AIR	N/A <sup>4</sup>	N/A	103	103	4	4	250	1108
INDUSTRIAL AND HAZARDOUS WASTE	2	2	1	1	5	5	303	329
MULTI-MEDIA	0	0	N/A	N/A	0	0	12	9
MUNICIPAL SOLID WASTE	1	1	6	6	3	3	105	133
OCCUPATIONAL CERTIFICATION	7	7	N/A	N/A	5	5	132	24
PETROLEUM STORAGE TANKS	15	15	11	11	24	24	35	229
WATER QUALITY	39	39	5	5	8	8	211	182
DRINKING WATER/CCN	400	400	239	239	4	4	279	157
TOTALS	466	466	374	374	53	53	1334	2192

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<sup>2</sup> Cases which the enforcement programs in Central Office are working on in which agency action has not been filed yet. Agency action includes, orders issued, NOVs for those cases in which a formal action is not being pursued, corrective action directives, bilateral compliance agreements, or any other action which directs a facility to take action to achieve compliance within a specified period of time.

<sup>3</sup> Includes all cases which the enforcement programs are tracking for compliance once an agency action (as defined in footnote 2) is finalized.

<sup>4</sup> N/A = Not Applicable.

**ENFORCEMENT REPORT TO THE COMMISSION FOR SEPTEMBER 1996**  
**November 20, 1996**

PROGRAMS	PENDING FORMAL ENFORCEMENT ACTIONS FOR ADMINISTRATIVE ORDERS TO BE ISSUED BY THE TNRCC		CASES PENDING AT THE STATE OFFICE OF ADMIN. HEARINGS	CASES PENDING AT THE OFFICE OF THE ATTORNEY GENERAL <sup>5</sup>	ATTORNEY GENERAL CASES RESULTING IN JUDGMENTS <sup>6</sup>		CASES REFERRED FROM THE REGIONAL OFFICES OR CENTRAL OFFICE FOR ENFORCEMENT ACTION BY CENTRAL OFFICE STAFF	
	Total	Backlog	Total	Total	Month	FY	Month	FY
AGRICULTURE	7	0	0	1	0	0	6	6
AIR	249	21	2	22	0	0	24	24
INDUSTRIAL AND HAZARDOUS WASTE	63	23	8	48	1	1	8	8
MULTI-MEDIA	4	2	1	3	0	0	1	1
MUNICIPAL SOLID WASTE	35	5	2	41	1	1	7	7
OCCUPATIONAL CERTIFICATION	71	0	0	61	1	1	0	0
PETROLEUM STORAGE TANKS	286	11	2	13	0	0	18	18
WATER QUALITY	99	7	0	13	0	0	6	6
DRINKING WATER/CCN	191	28	1	57	0	0	49	49
TOTALS	1005	97	16	259	3	3	119	119

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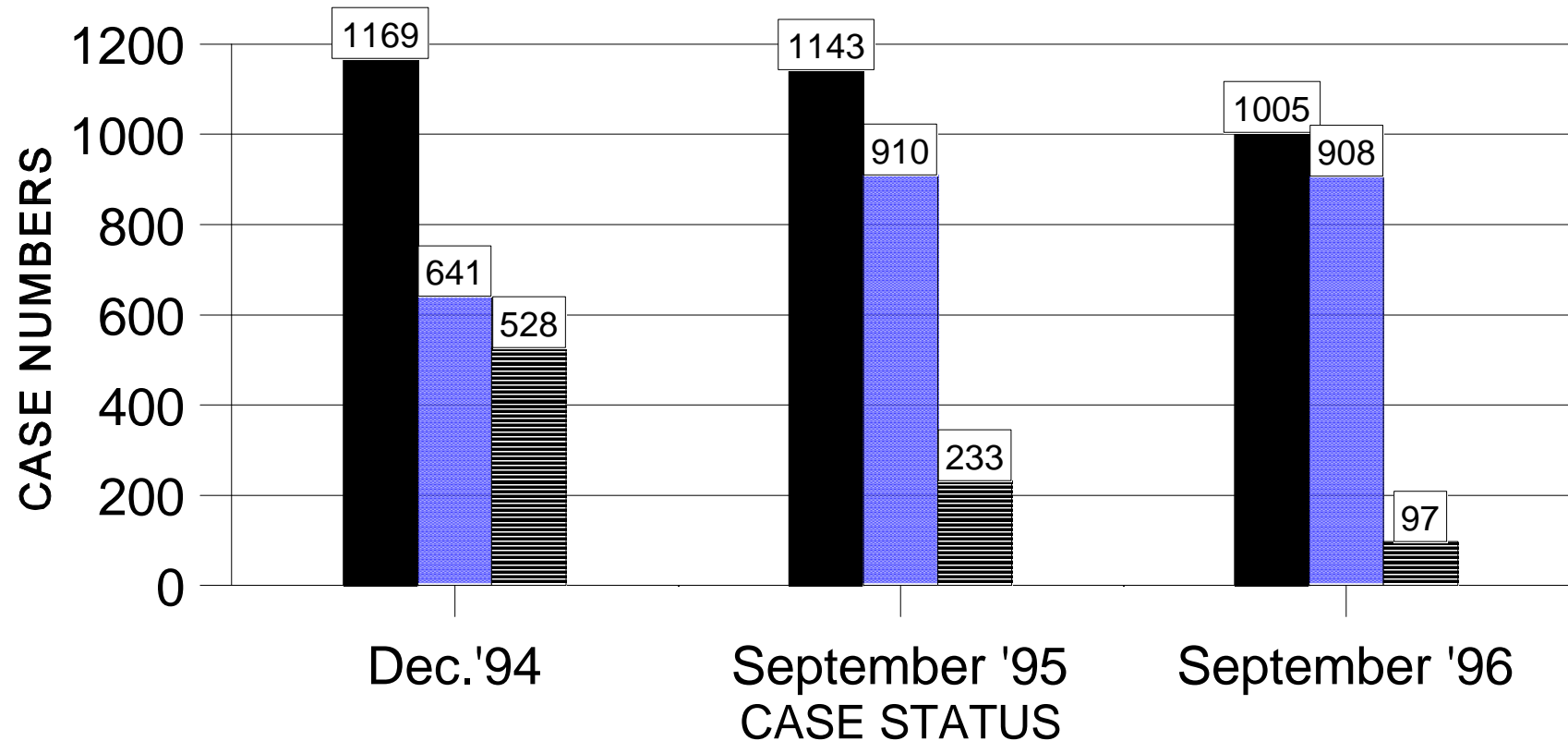
<sup>5</sup> AG actions typically take from 6 months to 5 years from the date of referral to final judgment.

<sup>6</sup> These numbers are obtained from the Attorney General's Office

ORDERS WITH EFFECTIVE DATES FROM 9/1/96 THROUGH 9/30/96									
Pro-gram	Entity Name	ID No.	Reg.	County	Order Effective Date	Assessed Penalty	Deferred Penalty	Settled Penalty	SEP Cost
IHW	US ARMY - FORT BLISS	63003	6	EL PASO	09/20/1996	\$60,435.00	\$0.00	\$60,435.00	\$0.00
WU	HOLLIMAN WATER DEPARTMENT	1070028	5	HENDERSO N	09/20/1996	\$2,160.00	\$0.00	\$2,160.00	\$0.00
TOTALS FOR SEPTEMBER FISCAL YEAR 1997:					2	\$62,595.00	\$0.00	\$62,595.00	\$0.00

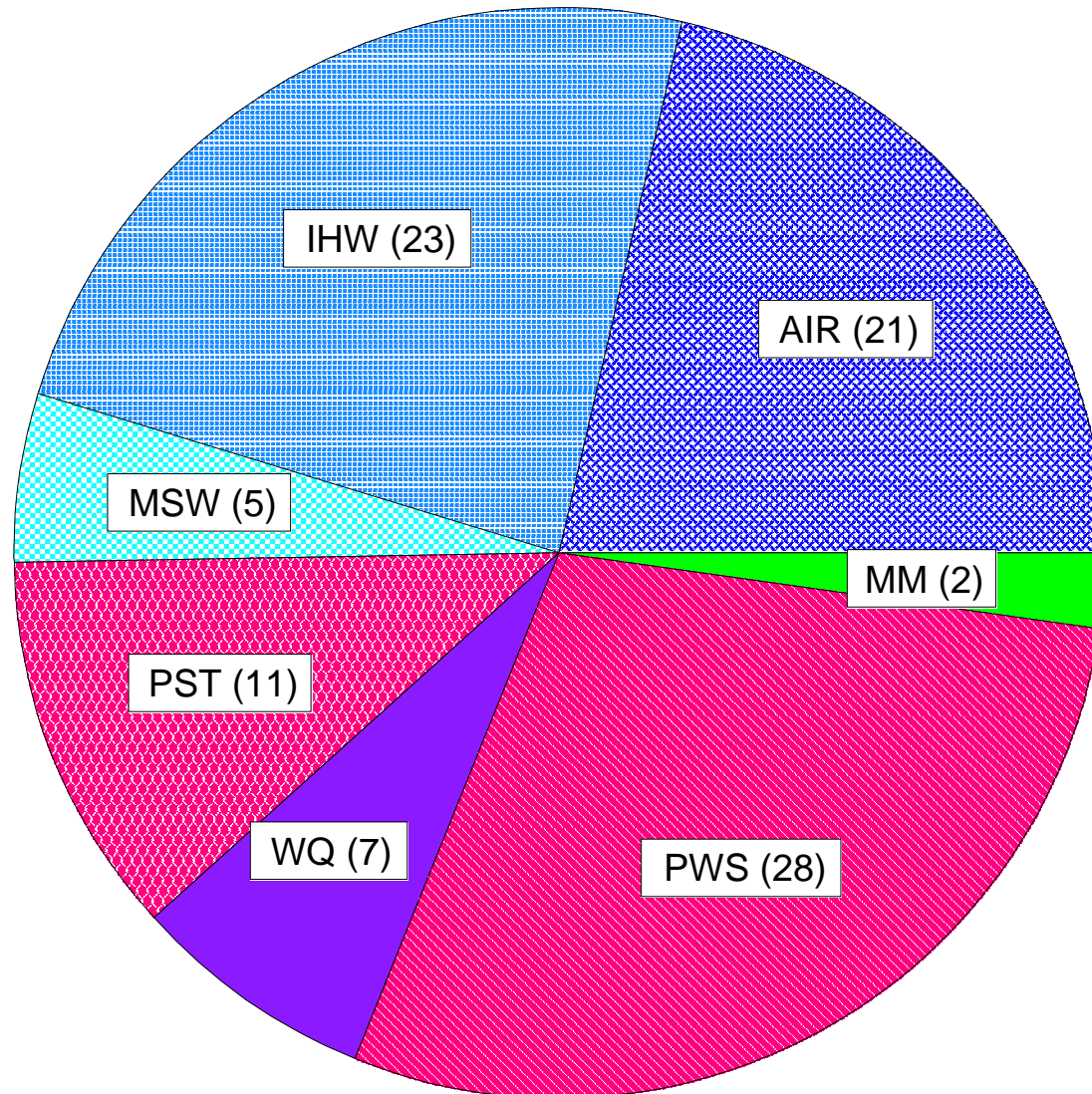
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DECEMBER 1994 - SEPTEMBER 1996



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